

JOINT MESSAGEFORM				RESERVED FOR COMMUNICATION CENTER	
SECURITY CLASSIFICATION UNCLASSIFIED				M age Contains Weapons Data () Yes (X) No Oct 27 22 51 '72	
TYPE MSG	BOOK	MULTI	SINGLE		
		X			
PRECEDENCE					
ACTION ROUTINE					
INFO ROUTINE				DTG	
FROM: M. E. GATES, MGR., NV/ PASO, HONOLU- LU, HAWAII TO: NV-HQ, ATTN: THOMAS FLEMING, CHIEF COUNSEL, LAS VEGAS, NEV. INFO: USAEC, WASHINGTON, D. C. MARTIN HOFFMAN, GENERAL COUNSEL; JOHN PENDER, ASST. GEN. COUNSEL; MAJ. GEN. FRANK CAMM, AGMMA				SPECIAL INSTRUCTIONS	
UNCLAS / QUOTED BELOW IS LETTER DATED OCT 24, 1972 RECEIVED THIS DATE IN PASO, ORIGINAL ADDRESSED TO MR. ROGER RAY, AMO, NV, FROM THE LAW OFFICES OF THE MICRONESIAN LEGAL SERVICES CORPORATION. COPIES OF THE LETTER HAVE BEEN ADDRESSED TO THOMAS FLEMING, CARROLL H. DUNN, PETER X T. COLEMAN, JON T. MIHO AND GRANT C. REYNOLDS: QUOTE - RE: PEOPLE OF ENEWETAK, ET. AL. V. MELVIN R. LAIRD, ET AL. U.S.D.C., HAWAII, CIVIL NO. 72-3649. DEAR MR. RAY: YOUR LETTER OF COTOBER 13 ENCLOSING A NEWS RELEASE				REPOSITORY <u>DOE/PASO</u> COLLECTION <u>DOE/NV</u> BOX NO. <u>1284</u> FOLDER <u>ENEWETAK MAR 10 1972</u> <u>Survey of 72-4176</u>	
TYPED NAME AND TITLE		PHONE <u>X-111</u> <u>845-7611</u>	SIGNATURE <u>W. K. Steiner</u>		
DRAFT		TYPED (or stamped) NAME AND TITLE <u>M. E. Gates, MGR. NV</u> <u>USAEC/PASO</u>			
SECURITY CLASSIFICATION UNCLASSIFIED		REGRAING INSTRUCTIONS EPB-757			

UNCLASSIFIED

ROUTINE
ROUTINE

M. E. GATES

M. E. GATES

ANNOUNCING A "SURVEY" OF ENEWETAK ATOLL HAS BEEN
RECEIVED.

WILL YOU PLEASE TELL ME PRECISELY WHO IS PRIMARILY
RESPONSIBLE FOR THIS "SURVEY" AND EXACTLY WHAT IT EN-
TAILS? TERMS LIKE "ENGINEERING PLAN" AND "RADIOLOGI-
CAL POINT OF VIEW" ARE UTTERLY MEANINGLESS TO US.
PLEASE BE SEPCIFIC AND DETAILED IN YOUR RESPONSE.
WE MADE IT PERFECTLY CLEAR TO ATTORNEYS MIHO AND
REYNOLDS IN THE PRESENCE OF JUDGE KING ON OCTOBER 4
IN HONOLULU THAT THE NATIONAL ENVIRONMENTAL POLICY
ACT OF 1969 (NEPA) APPLIES TO ANY AND ALL ASPECTS OF
THE ENEWETAK REHABILITATION PROGRAM AND THAT BEFORE
MAKING ANY DECISION TO PLAN OR EFFECTUATE IT, AN EN-
VIRONMENTAL ASSESSMENT IS REQUIRED, INCLUDING FULL
AND MEANINGFUL INVOLVEMENT OF THE ENEWETAKESE.
MOREOVER, THE TRUST TERRITORY GOVERNMENT, THROUGH
MR. PETER COLEMAN, HAS REPEATEDLY EXPRESSED THE
PROMISE THAT THE PEOPLE OF ENEWETAK WILL DECIDE
HOW AND WHEN AND IN WHAT WAY THE ATOLL WILL BE RE-
STORED.

UNCLASSIFIED

ROUTINE
ROUTINE

W. K. STREENAN

M. E. GATES

UNLESS I HEAR FROM YOU IMMEDIATELY, I HAVE INSTRUCTIONS TO PREPARE AND FILE A LAWSUIT TO ENJOIN THE ATOMIC ENERGY COMMISSION AND EVERY OTHER AGENCY INVOLVED FROM PROCEEDING WITH ANY ACTIVITIES IN CONNECTION WITH THE REHABILITATION OF THE ATOLL.

SINCERELY,

THEODORE R. MITCHELL, EDWARD C.
KING AND DENNIS F. OLSEN

BY

THEODORE R. MITCHELL

END QUOTE

REQUEST ANY GUIDANCE YOU DEEM APPROPRIATE NLT 1200
HOURS SATURDAY 28 OCTOBER HAWAIIAN TIME.

END MSG. EPB-757